

REFERENCE TITLE: umbilical cord banking

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

HB 2473

Introduced by
Representatives Bradley, Burns J, Lopez L: Alvarez, Chase, Quelland

AN ACT

AMENDING TITLE 32, CHAPTER 32, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-3210; AMENDING TITLE 36, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-112; MAKING AN APPROPRIATION; RELATING TO HEALTH CARE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 32, chapter 32, article 1, Arizona Revised Statutes,
3 is amended by adding section 32-3210, to read:

4 32-3210. Umbilical cord blood: options: notification
5 requirements: exemption: definition

6 A. BEGINNING JANUARY 1, 2007, A HEALTH PROFESSIONAL WHO DIRECTLY
7 PROVIDES HEALTH CARE SERVICES TO A PREGNANT WOMAN RELATING TO THE PREGNANCY
8 MUST NOTIFY THAT WOMAN DURING THE SECOND TRIMESTER OF PREGNANCY OF THE
9 FOLLOWING OPTIONS RELATING TO STEM CELLS THAT ARE CONTAINED IN THE UMBILICAL
10 CORD BLOOD AFTER THE DELIVERY OF HER CHILD:

11 1. DISCARD THE STEM CELLS.

12 2. DONATE THE STEM CELLS TO A PUBLIC UMBILICAL CORD BLOOD BANK.

13 3. STORE THE STEM CELLS IN A FAMILY UMBILICAL CORD BLOOD BANK FOR USE
14 BY THE IMMEDIATE AND EXTENDED FAMILY MEMBERS.

15 4. STORE THE STEM CELLS FOR FAMILY USE THROUGH A FAMILY OR SIBLING
16 DONOR BANKING PROGRAM THAT PROVIDES FREE COLLECTION, PROCESSING AND STORAGE
17 WHERE THERE IS A MEDICAL NEED.

18 B. A HEALTH PROFESSIONAL MEETS THE NOTIFICATION REQUIREMENTS OF THIS
19 SECTION BY PROVIDING THIS INFORMATION VERBALLY OR IN WRITING OR BY PROVIDING
20 THE WOMAN WITH A PUBLICATION PREPARED BY THE DEPARTMENT OF HEALTH SERVICES.

21 C. THIS SECTION DOES NOT IMPOSE AN OBLIGATION ON A HEALTH PROFESSIONAL
22 TO INFORM A PREGNANT WOMAN REGARDING THE OPTION OF UMBILICAL CORD BLOOD
23 COLLECTION IF THAT INFORMATION CONFLICTS WITH THE HEALTH PROFESSIONAL'S BONA
24 FIDE RELIGIOUS BELIEFS.

25 D. A PERSON WHO ACTS IN GOOD FAITH PURSUANT TO THIS SECTION IS NOT
26 SUBJECT TO CIVIL OR CRIMINAL LIABILITY OR PROFESSIONAL DISCIPLINE FOR THOSE
27 ACTS.

28 E. FOR THE PURPOSES OF THIS SECTION, "UMBILICAL CORD BLOOD" MEANS THE
29 BLOOD THAT REMAINS IN THE UMBILICAL CORD AND PLACENTA AFTER THE BIRTH OF A
30 NEWBORN CHILD.

31 Sec. 2. Title 36, chapter 1, article 1, Arizona Revised Statutes, is
32 amended by adding section 36-112, to read:

33 36-112. Umbilical cord donations: information pamphlet;
34 distribution: health care institution
35 responsibilities: exemption: definition

36 A. ON OR BEFORE JANUARY 1, 2007, THE DEPARTMENT OF HEALTH SERVICES
37 SHALL PREPARE A PAMPHLET THAT INCLUDES INFORMATION REGARDING THE FOLLOWING:

38 1. THE MEDICAL PROCESSES INVOLVED IN THE COLLECTION OF UMBILICAL CORD
39 BLOOD.

40 2. THE MEDICAL RISKS OF UMBILICAL CORD BLOOD COLLECTION TO THE MOTHER
41 AND HER NEWBORN CHILD.

42 3. THE CURRENT AND POTENTIAL FUTURE MEDICAL USES AND BENEFITS OF
43 UMBILICAL CORD BLOOD COLLECTION TO A MOTHER, HER NEWBORN CHILD AND HER
44 GENETICALLY RELATED FAMILY MEMBERS.

1 4. THE CURRENT AND POTENTIAL FUTURE MEDICAL USES AND BENEFITS OF
2 UMBILICAL CORD BLOOD COLLECTION TO PERSONS WHO ARE NOT GENETICALLY RELATED TO
3 A MOTHER OR HER NEWBORN CHILD.

4 5. THE DIFFERENCES BETWEEN GENETICALLY RELATED AND GENETICALLY
5 UNRELATED UMBILICAL CORD BLOOD TRANSPLANTS, INCLUDING SURVIVAL RATES AND
6 OUTCOMES, AND THE PROBABILITY OF A HIGH QUALITY MATCH IN A PUBLIC REGISTRY.

7 6. THE AVERAGE COST OF PUBLIC AND PRIVATE UMBILICAL CORD BLOOD
8 BANKING.

9 7. THE TIME REQUIRED TO ARRANGE FOR PUBLIC OR PRIVATE UMBILICAL CORD
10 BLOOD BANKING.

11 B. THE DEPARTMENT SHALL UPDATE THE PAMPHLET PREPARED PURSUANT TO THIS
12 SECTION AS NECESSARY.

13 C. THE DEPARTMENT SHALL DISTRIBUTE THE PAMPHLET FREE OF CHARGE TO
14 HEALTH PROFESSIONALS AND HEALTH CARE INSTITUTIONS ON REQUEST.

15 D. A HEALTH CARE INSTITUTION LICENSED PURSUANT TO CHAPTER 4 OF THIS
16 TITLE THAT TREATS A PREGNANT WOMAN DURING THE DELIVERY OF HER CHILD SHALL
17 PERMIT HER TO ARRANGE FOR AN UMBILICAL CORD BLOOD COLLECTION IF SHE HAS MADE
18 THIS REQUEST UNLESS, IN THE PROFESSIONAL JUDGMENT OF A HEALTH CARE PROVIDER,
19 THE DONATION WOULD BE MEDICALLY INADVISABLE.

20 E. THIS SECTION DOES NOT IMPOSE AN OBLIGATION ON A HEALTH CARE
21 INSTITUTION OR A HEALTH CARE PROVIDER TO PERMIT AN UMBILICAL CORD BLOOD
22 COLLECTION IF THE COLLECTION CONFLICTS WITH THE INSTITUTION'S OR THE
23 PROVIDER'S BONA FIDE RELIGIOUS BELIEFS AND THE INSTITUTION OR PROVIDER MAKES
24 THIS FACT KNOWN TO THE WOMAN AS SOON AS REASONABLY FEASIBLE.

25 F. A HEALTH CARE INSTITUTION THAT ACTS IN GOOD FAITH PURSUANT TO THIS
26 SECTION IS NOT SUBJECT TO CIVIL OR CRIMINAL LIABILITY OR REGULATORY
27 DISCIPLINE FOR THOSE ACTS.

28 G. FOR THE PURPOSES OF THIS SECTION, "UMBILICAL CORD BLOOD" MEANS THE
29 BLOOD THAT REMAINS IN THE UMBILICAL CORD AND PLACENTA AFTER THE BIRTH OF A
30 NEWBORN CHILD.

31 Sec. 3. Appropriation: purpose: exemption

32 A. The sum of \$35,000 is appropriated from the state general fund in
33 fiscal year 2006-2007 to the department of health services for the
34 preparation and distribution of the information pamphlet prescribed in this
35 act.

36 B. The appropriation made in subsection A of this section is exempt
37 from the provisions of section 35-190, Arizona Revised Statutes, relating to
38 lapsing of appropriations.